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*Attorneys for Plaintiff Nippon Express
U.S.A. (Illinois), Inc.*

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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NIPPON EXPRESS U.S.A. (ILLINOIS), INC., :

Plaintiff, :

- against - :

M/V CHANG JIANG BRIDGE and YANG
MING MARINE TRANSPORT
CORPORATION, :

Defendant. :

06 Civ. 0694 (PKC)

**DECLARATION IN
OPPOSITION TO MOTION**

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I, David T. Maloof, declare:

1. I am a member of Maloof Browne & Eagan LLC and submit this Declaration in Opposition to Defendant Yang Ming Marine Transport Corp.'s Motion to Dismiss the Claims Against it on the Ground of a Foreign Forum Selection Agreement.

2. I attach as Exhibit A, a true and complete copy of the Bill of Lading numbered YMLUW160067969 issued by Yang Ming Marine Transport Corp. ("Yang Ming") on or about September 25, 2004 describing the shipment at issue. A true and complete copy of the front side of the Bill of Lading which I received from the files of Nippon Express U.S.A. (Illinois), Inc. ("Nippon Express"). The rear side of the Bill of Lading was provided to me by Yang Ming during discovery.

3. I attach as Exhibit B, a true and complete copy of the shipping invoice issued by Canon U.S.A., Inc., describing the contents of the shipment at issue, which I received from the files of Nippon Express.

4. I attach as Exhibit C, a true and complete copy of certain shipping instructions provided by Nippon Express to Yang Ming, which I received from the files of Nippon Express.

5. I attach as Exhibit D a copy of the Survey Report compiled by Nippon Kaiji Kentei Kyokai on June 6, 2006, made in their ordinary course of business as cargo surveyors following an investigation of the damaged cargo, which I received from the files of Nippon Express.

6. I attach as Exhibit E a true and complete copy of the letter of subrogation assigning all rights possessed by Canon related to this claim to Sompo in exchange for ¥60,618,321, which I received from the files of Nippon Express.

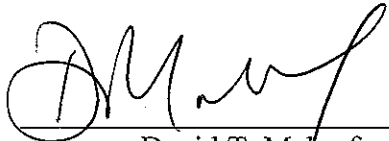
7. I attach as Exhibit F a true and complete copy of emails sent by Yang Ming related to this shipment, which I received from the files of Nippon Express.

8. I attach as Exhibit G a true and complete copy of the wire transfer advice showing the payment of \$55,000 to Sompo by NipponKoa Insurance Company ("NipponKoa"), which I received from the files of NipponKoa.

10. I attach as Exhibit H the Stevedoring and Terminal Service Agreement for Yang Ming Line provided to me by Yang Ming during discovery.

I declare under the penalties of perjury of the laws of the United States that the foregoing is true and correct.

Dated: Rye, New York
June 12, 2007


David T. Maloof